

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEREK SUTTON, as special
administrator of the ESTATE OF
WILLIAM PEPPER,

Plaintiff,

vs.

RENAL TREATMENT CENTERS
WEST, INC., a foreign corporation,
and DAVITA, INC., a foreign
corporation,

Defendants.

No. CV-10-3067-LRS

**ORDER GRANTING MOTION
FOR PROTECTIVE ORDER**

BEFORE THE COURT is the Defendants' Motion For Protective Order (Ct. Rec. 14). The motion is heard without oral argument.

The court previously declined to enter the parties' "Stipulated Protective Order" (Ct. Rec. 11) because of its broad scope and the court's concern that it would result in the sealing of materials that did not deserve that protection. Defendants' current motion is more specific, seeking protection for a discrete set of documents, those being the Hemodialysis Policies and Procedures designated as "YDC- P&P 0001-0007." Defendants have established to this court's satisfaction that these policies and procedures constitute "confidential research, development, or commercial information" deserving of protection pursuant to Fed. R. Civ. P. 26(c)(1)(G). At the same time, the information is clearly relevant to Plaintiff's claims.

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1 Accordingly, Defendants' Motion For Protective Order (Ct. Rec. 14) is
2 **GRANTED** with the understanding that the specific documents in question shall be
3 marked "Confidential," shall not be shared or disclosed by Plaintiff's counsel outside
4 of this litigation, and shall be returned to Defendants' counsel at the close of the
5 litigation. If it is necessary to file these documents as exhibits, the filing party shall
6 so advise the court and request that the documents be sealed.

7 **IT IS SO ORDERED.** The District Executive is directed to enter this order
8 and forward copies to counsel.

9 **DATED** this 9th of May, 2011.

10 *s/Lonny R. Suko*

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12 LONNY R. SUKO
13 United States District Judge
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